



# environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DEFF Reference: 14/12/16/3/3/2/1035/AM1

Enquiries: Mr Lunga Dlova

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Ms Karen Low  
Juwi Renewable Energies (Pty) Ltd.  
20th Floor, the Halyard  
4 Christiaan Barnard Street  
Foreshore  
CAPE TOWN  
8001

Telephone Number: (021) 831 6131  
Email Address: [karen.low@juwi.co.za](mailto:karen.low@juwi.co.za)

## PER MAIL / EMAIL

Dear Ms Low

**AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 19 JULY 2018 FOR THE CONSTRUCTION OF THE 100MW SKEERHOK 3 PHOTOVOLTAIC SOLAR ENERGY FACILITY ON PORTION 0 OF THE FARM SMUTSHOEK NO. 395 NORTH-EAST OF THE TOWN OF KENHARDT WITHIN THE IKHEIS LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE.**

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 19 July 2018, your application for amendment of the EA received by the Department on 01 December 2020 and the acknowledgement letter dated 03 December 2020, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 19 July 2018 as amended, as follows:

### **Amendment 1: Amendment to the co-ordinates of the "preferred site" included on page 4 of the EA:**

#### **From:**

Preferred site	Latitude	Longitude
North-West Corner	29°2'17.24"S	21°24'13.30"E
North-East Corner	29°2'17.01"S	21°24'54.17"E
South-West Corner	29°3'17.56"S	21°24'13.16"E
South-East Corner	29°3'17.49"S	21°24'25.51"E

#### **is hereby amended to:**

Preferred site	Point	Latitude	Longitude
	A	29°2'9.58"S	21°23'44.03"E

*M.S*

Skeerhok PV 3	B	29°2'41.60"S	21°24'9.99"E
	C	29°3'21.74"S	21°23'56.82"E
	D	29°3'19.75"S	21°24'26.39"E
	E	29°2'27.99"S	21°25'17.57"E
	F	29°2'5.33"S	21°25'11.47"E

**Reason for amendment**

The co-ordinates of the "preferred site" on page 4 of the EA are different to the co-ordinates of the preferred site provided in the Environmental Impact Assessment (EIA) Report dated March 2018 (i.e. included in Table 2.1 of the EIA Report dated March 2018). The co-ordinates of the preferred site provided on page 4 of the EA currently authorises a smaller site (approximately 178ha) than what was assessed, and would be too small for the authorised 100MW PV facility, as described and assessed in the EIA process, and authorised in the project description of the EA (on pages 3 – 6 of the EA). In this regard, the EIA Report and EA correctly describe that the PV facility would have a footprint of approximately 300ha (i.e. up to 250ha for the PV Panel area, and associated infrastructure).

**Amendment 2: Amendment to the change the name and contact details of the holder of the Environmental Authorisation:****From:**

"JUWI RENEWABLE ENERGIES (PTY) LTD.

(hereafter referred to as the holder of the authorisation)

With the following contact details –

Ms Cleo Forster  
24th Floor Metropolitan Centre  
7 Walter Sisulu Avenue  
Foreshore  
**CAPE TOWN**  
8001

Telephone Number: (021) 831 7430  
Cell Phone Number: (079) 892 7977  
Email Address: [cleo.forster@juwi.co.za](mailto:cleo.forster@juwi.co.za)"

**Is hereby amended to:**

"JUWI RENEWABLE ENERGIES (PTY) LTD.

(hereafter referred to as the holder of the authorisation)

With the following contact details –

Ms Karen Low  
20th Floor, the Halyard  
4 Christiaan Barnard Street  
Foreshore

MS

CAPE TOWN  
8001

Telephone Number: 021 831 6131  
Cell Phone Number: 084 454 9944  
Email Address: [karen.low@juwi.co.za](mailto:karen.low@juwi.co.za)

**Reason for amendment**

The responsible contact person indicated in the EA no longer works at Juwi Renewable Energies (Pty) Ltd. The EA therefore needs to be updated to provide the details of the new contact person for the holder of the EA, i.e. Ms Karen Low.

**Amendment 3: Removal of Condition 32 on page 12 of the EA:**

Condition 32 of the EA which reads as follows is hereby removed.

*"Environmental Authorisation is granted on condition that not more than 6 approved facilities in the project area are awarded preferred bidder status by the Department of Energy (DoE)".*

**Reason for amendment**

The Department of Environment, Forestry and Fisheries (DEFF) included condition 32 on the EA, whereby the validity of the EA is made subject to the selection of no more than six preferred bidders within the project area by the Department of Energy (DoE), in other EAs for PV project clusters within this area. For example, the EAs issued to Gemsbok Solar PV3 (Pty) Ltd (14/12/16/3/3/2/841) and Gemsbok Solar PV5 (Pty) Ltd (14/12/16/3/3/2/843) included the same condition (with exactly the same wording), which was appealed and removed from the EAs following the appeals. Based on precedent, the holder of the EA would like Condition 32 removed from their EA.

This proposed amendment letter must be read in conjunction with the EA dated 19 July 2018.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was

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AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 19 JULY 2018 FOR THE CONSTRUCTION OF THE 100MW SKEERHOK 3 PHOTOVOLTAIC SOLAR ENERGY FACILITY ON PORTION 0 OF THE FARM SMUTSHOEK NO. 395 NORTH-EAST OF THE TOWN OF KENHARDT WITHIN THE IKHEIS LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE.

sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appeals@environment.gov.za](mailto:appeals@environment.gov.za);

By hand: Environment House  
473 Steve Biko,  
Arcadia,  
Pretoria,  
0083; or

By post: Private Bag X447,  
Pretoria,  
0001;

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
Chief Director: Integrated Environmental Authorisations  
Department of Environment, Forestry and Fisheries

Date: 11/12/2020

cc	Nicole Holland	Holland & Associates Environmental Consultants	Email: <a href="mailto:nicole@hollandandassociates.net">nicole@hollandandassociates.net</a>
	Vanco Trust / Floris Hendrik van Wyk	Land owner	Email: <a href="mailto:hendri@hen1.co.za">hendri@hen1.co.za</a>
	Luzane Tools-Bernado/ Ms Leburu	Northern Cape Department of Environment and Nature Conservation (DENC)	Email: <a href="mailto:ltoolsbernado@ncpg.gov.za">ltoolsbernado@ncpg.gov.za</a> / <a href="mailto:tmakaudi@ncpg.gov.za">tmakaudi@ncpg.gov.za</a>
	Fanus van Eck	IKheis Local Municipality	Email: <a href="mailto:fvaneck3@gmail.com">fvaneck3@gmail.com</a>